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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OBSERVER MISSION IN EL SALVADOR

I. INTRODUCTION

1. Shortly after the issuance of my report to the Security Council on 11 May 1994 (S/1994/561 and Add.1), the Government of El Salvador and the Frente Farabundo Marti para la Liberación Nacional (FMLN) reached agreement on 19 May on a new "Timetable for the implementation of the most important outstanding agreements" emanating from the peace accords. I brought that agreement to the attention of the Security Council in my letter of 24 May to the President of the Council (S/1994/612). The present report is submitted pursuant to resolution 920 (1994), in which the Council, inter alia, urged the Government and FMLN to comply strictly with the 19 May agreement and requested me to report, no later than 31 August 1994, on compliance with the timetable and on other relevant issues, including measures undertaken to contain the costs of the United Nations Observer Mission in El Salvador (ONUSAL).

2. Since his inauguration on 1 June 1994, President Calderón Sol has taken steps to ensure compliance with the outstanding provisions of the peace accords. The high-level governmental team responsible for follow-up activities at the political level has been maintained, the fortnightly tripartite meetings envisaged by the 19 May agreement are held regularly and joint working groups on various outstanding issues continue to function.

3. A turning-point appears to have been reached in the area of public security. After recent events revealed the involvement in criminal activities of individuals or groups within the public security apparatus, 1/ the Government promptly denounced the existence of organized crime and expressed its determination to take decisive action against all those involved regardless of their origin, thus squarely confronting an issue that had not hitherto been openly addressed. The appointment of the new Vice-Minister for Public Security and the new Director-General of the National Civil Police should help strengthen that institution and improve its performance.

4. After a two-month extension of its mandate, the Joint Group established in December 1993 to investigate politically motivated illegal armed groups completed its work and submitted its report to President Calderón Sol and to

myself on 28 July 1994. The report is being issued as an official document of the United Nations.

5. Since 1 May 1994, the Legislative Assembly has functioned with the participation of FMLN as the country's second political force, as well as with that of other political parties. Despite a four-week delay, the election by consensus of the new Supreme Court of Justice, after a painstaking process of negotiations which had tested the political parties' capacity to compromise, was a laudable achievement. The National Commission for the Consolidation of Peace (COPAZ) and several of its subcommissions also continue to function. Talks are under way on its possible transformation into a peace foundation.

II. IMPLEMENTATION OF OUTSTANDING AGREEMENTS

6. This section deals with the implementation of the 19 May timetable and accordingly examines matters relating to the armed forces, public security, the land-transfer programme, reintegration programmes and the recommendations of the Commission on the Truth.

A. Armed forces

7. While military weapons in the possession of penitentiaries have been replaced in a number of cases with arms authorized by the 9 December 1993 law (see S/1994/561, para. 12), the Government has proposed that the collection of such weapons be temporarily suspended in view of the insecurity prevailing at several penal institutions where violent rioting has occurred recently. It was agreed that the situation would be reviewed on 28 August 1994. As regards other registered military weapons, a list of which has been provided by the Government, security considerations have led to an agreement that action on those weapons will also be reviewed on 28 August.

8. Concerning the voluntary surrender of unregistered military weapons and the registration of other weapons, a reform of the relevant law has extended the applicable deadlines, and regulations on the application of the law have been approved. Offices are scheduled to open before the end of August for the registration or collection of these weapons. However, a forceful and effective publicity campaign to promote compliance with the law has yet to begin and practical measures for its implementation have yet to be announced.

9. There are indications that certain members of the armed forces on active duty continue to carry out internal intelligence activities, contrary to the new mandate of the armed forces as set out in the Constitution. It is imperative that the Inspector-General and his office carry out their duties efficiently to ensure strict compliance with the law and the peace accords in this regard.

B. Public security

Deployment of the National Civil Police

10. Since I last reported on this subject to the Security Council, the National Civil Police has been fully deployed in the departments of La Paz and Cuscatlán and partially deployed in those of Ahuachapán and Sonsonate, thus leaving the departments of San Salvador and La Libertad still under the jurisdiction of the National Police. With the start-up of the Environmental and Border divisions in June, eight of the National Civil Police's nine functional divisions are now technically operational. The deployment of the Arms and Explosives Division, originally scheduled for 1 August, has been rescheduled for the end of the month.

Demobilization of the National Police

11. Information received by ONUSAL indicates that approximately 1,900 National Police personnel have now been demobilized or dismissed. According to the Director of the National Police, personnel under his command now total some 4,800. While the Government has publicly announced its intention to complete the demobilization of the National Police before the deadline established in the timetable (i.e., 31 January, and at the latest, 31 March 1995), no final decision has yet been taken. Moreover, applications for reintegration programmes for the National Police have dwindled considerably and ONUSAL has been informed that they will soon be discontinued. ONUSAL has requested a detailed phasing-out plan for the coming months, as well as information on the future of National Police agents.

12. On 1 July, in the wake of the arrest of the Chief of the Investigative Department of the National Police on grounds of involvement in criminal activities (see para. 3 and note 1), the Government decided to demobilize the unit's 732 members effective 1 August and to transfer its functions to the National Civil Police. However, a new 750-member anti-crime unit was subsequently established within the National Police. According to information received by ONUSAL, the members of this unit are to form part of the group of up to 1,000 former National Police agents who may enter the National Public Security Academy under the terms of the 19 May 1994 agreement (see para. 26). ONUSAL has requested more precise information about the functions of the unit and the background of its personnel.

13. As to the former Customs Police, which had been incorporated into the National Police, the Government has announced that its personnel would be absorbed by the Treasury Ministry as a fiscal control unit whose duties would include the control of smuggling. Armed police functions would be exercised exclusively by the Finance Division of the National Civil Police. However, having verified that members of the former Customs Police deployed in border and other areas carry military and light weapons, ONUSAL has called the Government's attention to this apparent contradiction with the principle of a single police body with national jurisdiction laid down in the peace accords.

Restructuring of the Ministry of the Interior and Public Security

14. The Government has established the office of the new Vice-Minister for Public Security and, on 1 June, appointed Mr. Hugo Barrera to that position, where he will be responsible for directing the National Civil Police and the National Public Security Academy. He will also have authority over the National Police until its final demobilization.

Regulatory machinery

15. Consultations are continuing with the Attorney General of the Republic and the National Counsel for the Defence of Human Rights on the appointment of the Inspector-General of the National Civil Police, which should have taken place in June 1994. The Control and Disciplinary Investigation units are being provided with the necessary human and material resources. Agreement has been reached on international technical assistance with the participation of ONUSAL, which submitted a technical cooperation plan at the beginning of August.

Irregularities in the National Civil Police and the functioning of the National Public Security Academy

16. In accordance with the 19 May timetable, ONUSAL has made recommendations (which are binding) and suggestions to the Vice-Minister for Public Security. Some of these are summarized in the following paragraphs. Measures towards compliance with the recommendations, the purpose of which is to bring the Government into compliance with the letter and the spirit of the peace accords, should be taken by 30 August and implementation completed before 30 October 1994, except for those recommendations requiring a longer period for full application.

17. Concerning irregularities in the Anti-narcotics Division of the National Civil Police, ONUSAL has ascertained that a large portion of the Division's members carry out activities unrelated to anti-narcotics work. This is contrary to agreements reached earlier. ONUSAL has accordingly recommended that the Division limit its activities to that area and adjust its structure accordingly. It has also recommended that personnel incorporated into the former Special Anti-narcotics Unit after the complementary agreement of 22 December 1992 (which allowed members of the unit to enter the National Civil Police on an exceptional basis and under certain conditions) be returned to their earlier positions. A revision of the law on the fight against drugs (Ley Reguladora de las Actividades relativas a las Drogas) to ensure that it conforms with the Constitution and the Organic Law of the National Civil Police has been suggested.

18. Given that the Criminal Investigations Division lacks the necessary resources and personnel to carry out all criminal investigations in the country, as established in the Organic Law of the National Civil Police, ONUSAL has recommended that it be strengthened with graduates from the Academy. The transfer of National Police files to the National Civil Police, including those of its investigative department, should take place as soon as possible.

19. The Anti-narcotics and Criminal Investigations divisions continue to operate with excessive autonomy within the National Civil Police. ONUSAL has recommended that appropriate steps be taken to ensure subordination to the hierarchy, coordination with other divisions and submission to internal regulatory machinery. It has also recommended that both divisions coordinate their activities with the Attorney General's office and the judicial branch.

20. Problems with the assignment of ranks have been confirmed in both divisions: in the case of the Anti-narcotics Division, ranks have been assigned arbitrarily, while in the Criminal Investigations Division no ranks have been assigned. ONUSAL has recommended that members of both divisions be evaluated in order to determine their provisional ranks and that they enrol in regular courses at the Academy at the appropriate levels. This will help to correct the existing anomalies and will facilitate the integration of both divisions into the National Civil Police.

21. In order to safeguard the entitlement of the five best students in each Academy promotion to choose their place of assignment among existing vacancies, ONUSAL has recommended that clear and objective criteria be established to evaluate their academic performance. Moreover, given that frequent changes in command positions in the National Civil Police have affected efficiency, a system should be established to ensure continuity of service while providing more stable working conditions. In this regard, the prompt approval of a law regulating the police career would be essential.

22. With respect to the functioning of the National Public Security Academy, ONUSAL has recommended that a permanent mechanism for the evaluation of teachers be established and that every effort be made to retain international instructors at least until 1995. In line with ONUSAL's recommendations, a Chief of Studies has been appointed and the present curriculum is being revised to make the Academy more responsive to the needs of the National Civil Police, particularly as regards judicial procedures, the use of firearms and training in the field. Following the transition period, the duration of basic-level courses should be extended.

23. ONUSAL has also recommended that, in coordination with the National Civil Police, the Academy carry out an evaluation of that institution's personnel before 15 September 1994. Measures supplementing ONUSAL's recommendations in respect of the Academy should be adopted by the Academic Council before 20 October 1994. The Council should submit its first annual report, which will include its evaluation of the National Civil Police and will assess the implementation of ONUSAL's recommendations, to the Minister of the Interior and Public Security on 30 October 1994. As recommended by ONUSAL, representatives of the Director of the National Civil Police now regularly attend the meetings of the Academic Council.

24. As regards the recruitment and selection process, ONUSAL has suggested that the current recruitment campaign be complemented by field visits, in particular to those areas where the turnout of applicants has been low, and that the participation of the National Civil Police be enlisted. It has further recommended that more time be devoted to individual interviews with candidates

and that the selection process be reviewed in the light of accumulated experience.

25. The current team of Academy monitors (monitores) consists of 17 former National Police members, 6 FMLN ex-combatants and 25 other individuals who did not participate in the armed conflict. ONUSAL has recommended that, for the remainder of the transition period, personnel from every origin be considered for such positions, due account being taken of their professional merits. ONUSAL has also noted that the supervision of the more than 2,000 students at the Academy requires an increased number of monitors, in respect of whose activities, selection, training and rotation appropriate rules should be devised. The disciplinary regime should be enforced only by the relevant authorities and the files of students who were sanctioned by unqualified authorities should be cleared.

Measures for promoting additional recruitment to the National Civil Police

26. At the Government's request, ONUSAL has submitted a document containing a proposal for an increase in grants given to Academy students, information on pensions and other benefits for National Civil Police personnel, and the related budgetary implications. The Government has informed ONUSAL that a special budget allocation has been requested in order to increase Academy grants retroactively to 1 July. A response is pending on the question of benefits for National Civil Police personnel. With regard to the promotion of civilian recruitment to the Academy, progress has been made towards the signing of an agreement between the Academy and the Asociación Salvadoreña de Apoyo a la Democracia (ASPAD), representing the non-governmental sector. It should be borne in mind that in addition to the requirement that ONUSAL's recommendations in this regard be implemented, the possible admission to the Academy of up to 1,000 additional former members of the National Police (see para. 12) could only take place if the Academy were unable to recruit enough candidates who had not taken part in the armed conflict.

C. Land-transfer programme

27. Regrettably, there is little progress to report with regard to the effective transfer of land to former combatants of the Armed Forces of El Salvador (FAES) and the FMLN as well as to landholders, as contemplated in the peace agreements. The acceptance last May by the Government, at my request, to include the so-called "non-verified" landholders in the programme removed one of the main impediments to its implementation (see S/1994/561, para. 70). At that time I also urged the FMLN to make the utmost effort to overcome some of the impediments to the transfer of land for which they were responsible. Among these, some of the most serious were the need to stop putting additional people on the land or relocating them from one place to another; to facilitate the process by being present with the appropriate documentation at the different stages and at the specified time and place; and to make sure that all potential beneficiaries signed the deeds on time so that owners could be paid for their land. The response of FMLN in this regard has been disappointing and many of these problems continue to paralyse the land programme. It should be pointed out, however, that although in some cases non-compliance clearly reflects a lack

of political will on the part of FMLN, in others it is a consequence of their weak organizational structure and lack of resources.

28. In terms of what has been achieved and what remains to be done, the picture is as follows. The total number of potential beneficiaries of the land-transfer programme has not yet been determined since FMLN has not provided the relevant information on rural human settlements (referred to in the agreements as predios e inmuebles) which, according to the 8 September 1993 high-level tripartite meeting (Government/FMLN/ONUSAL), are to be included in the land programme (see S/26790, para. 55). Pending a solution to this problem, there is agreement to transfer land to 28,648 former combatants of FMLN and landholders and 12,000 former combatants of the armed forces, amounting to a total of 40,648, which is below the maximum number of 47,500 contemplated in the agreement. Of these, only 8,936 of the FMLN beneficiaries (31 per cent) and about 3,000 of the FAES beneficiaries (25 per cent) have so far completed the legal process. These data illustrate that the programme is once again at a standstill: by the end of April 11,585 persons had received title to the land and by mid-August this figure had only increased to 11,936, still below the end-1993 target of 12,000, a figure that had been accepted as feasible by both the Government and FMLN (see S/1994/561, para. 67).

29. Delays in the transfer of land are impeding the reintegration of potential beneficiaries into productive activities and are creating other kinds of problems that are likely to complicate the implementation of the agreements. In many cases land deeds cannot be finalized because a few beneficiaries have not signed. Under such conditions, restrictions imposed by donors prevent the Lands Bank from paying owners for their land. Delays in payments are discouraging landowners from selling, and the resulting land shortages are likely to put upward pressure on prices. At the same time, the paralysis in the programme has resulted in committed funds remaining undisbursed. This in turn is discouraging donors from committing the necessary additional funding, not only for the land-transfer programme, but also for programmes relating to the provision of agricultural credit and technical assistance, which are conditional on the legalization of land tenure and are seriously under-financed.

30. On 18 August the Government submitted a new plan to accelerate the transfer of land to former combatants of FMLN and landholders, in an attempt to overcome the many operational problems that had inhibited its implementation so far. The most noteworthy point in the plan is the commitment of the Government to strengthen the legal and administrative capacity of the regional offices of the executing agency so as to facilitate the measurement, appraisal, negotiation and legalization of properties, as well as to organize a publicity campaign through regional radio stations to inform potential beneficiaries of their rights and of the different steps they need to take if they want to participate in the programme.

31. If these shortcomings can be overcome by the new measures to be adopted by the Government and with the full cooperation of FMLN, the main issue to be resolved in this regard relates to human settlements. Human settlements were established after the Government of El Salvador agreed to the return of refugees that had fled to Honduras during the years of conflict. Over the years, with the financial and technical support of the international community, these

settlements of returnees and displaced persons have built an important social infrastructure and productive capacity in agro-industry in relatively small areas of land. In a country with such land scarcity these settlements constitute an alternative model to purely agricultural activities. Because of the social and political implications of breaking up these communities and the fact that their members strongly oppose relocation, a solution will have to be found to transfer these settlements under a special regime and en bloc, with compensation to the original owners, as proposed by FMLN. The situation has been complicated by the fact that it has become clear that it is not always possible to separate the rural from the urban settlements and a solution will have to encompass both. At the 8 September 1993 meeting the Government also agreed to work on a solution to urban human settlements, albeit outside the land-transfer programme, once COPAZ completed an inventory. That inventory was presented on 15 December 1993, registering 1,373 houses, of which 752 were included within the land-transfer programme, thus reducing the problem of urban human settlements to the remaining 621 cases (see S/1994/561, paras. 76 and 87).

32. The transfer of land to former members of the armed forces also presents serious difficulties which ONUSAL cannot fully evaluate since it continues to lack full information on this issue. The programme is under-financed and additional funding is needed to cover 8,000 of the 9,000 remaining potential beneficiaries. The situation has been aggravated by the delays in indemnization to demobilized members of the armed forces, the growing links between indemnization and land transfer and the increasing threat of an organization which includes some disgruntled former combatants of the armed forces. Members of that organization recently occupied the National Assembly, the Lands Bank and the Instituto Salvadoreño de Transformación Agraria as a way to exert pressure on the Government to accept their demands. Their main claim is that members of paramilitary forces demobilized because of the peace agreements should also be entitled to the same programmes. These forces have been estimated as low as 50,000 and as high as 250,000. Even if these forces had a valid claim, the fact remains that the agreements only contemplate the transfer of land to former combatants of the armed forces and the 13 October 1992 programme establishes a maximum figure of 15,000 for them. Pressure to include those not contemplated in the programme has detracted from the real problem which is the sluggishness and inadequacy with which the programme has been carried out and the need to accelerate its implementation.

D. Reintegration programmes

33. ONUSAL has continued to work with the parties and with the United Nations Development Programme (UNDP) on the implementation of the medium-term programmes for former combatants of the armed forces and FMLN, supporters of the latter who became landholders in the former zones of conflict and demobilized members of the National Police. Progress can be reported in spite of the many operational and administrative problems and the lack of financing, which have resulted in serious delays in some programmes.

34. Given the restrictions imposed by the small size of the plots being transferred, the only possibility of making agricultural production sustainable is by strong support through training, technical assistance and credit. To

start with, agricultural training programmes, which are by now completed, did not cover a large number of potential beneficiaries of the land-transfer programme. The first technical assistance programme coordinated by UNDP and executed by non-governmental organizations has also been completed. A new programme for the 1994/95 agricultural cycle will be carried out through a Government agency, the National Centre for Agricultural Technology (CENTA). This programme will need to be strengthened technically and financially and supplemented by the work of non-governmental organizations earmarking technical assistance for the former zones of conflict, as proposed by FMLN.

35. Technical assistance is essential to ensure the optimal use of credit. The programme for agricultural credit is severely under-capitalized, and this has had a negative impact, primarily upon potential beneficiaries from among the armed forces and landholders.

36. The training programme for micro-enterprises has also concluded and credit has been provided to about half of the potential beneficiaries. There are indications, however, that a majority of beneficiaries are not productively investing these funds. This creates a double problem: on the one hand, the programme will not achieve its main objective, which is the successful reintegration of these people into productive activities. On the other, borrowers will soon afterwards be in default, limiting the Government's ability and/or willingness to give them new loans in the future.

37. With regard to the programme for the 600 medium-level commanders ("Plan 600"), implementation is taking place with delays, inadequate technical assistance and a shortage of funds for housing. Problems related to the lack of coordination and joint programming between beneficiaries and the executing agencies have not been resolved (S/1991/561, para. 82).

38. The number of members of the National Police attending the first phase of the reintegration programme (the counselling phase) is less than expected (about 3,400 of the expected 4,800). The following phases (training, credit and technical assistance) will be impeded by the lack of financing.

E. Recommendations of the Commission on the Truth

39. Having agreed upon a plan of action to promote the early approval of legislative measures emanating from the recommendations of the Commission on the Truth, which are binding, the parties and ONUSAL have discussed these issues in separate meetings with the Legislative Assembly. The Assembly is now proceeding to study the relevant draft legislation.

40. Regarding the final approval of pending international human rights instruments, the Government maintains its objection to their approval but is continuing to hold consultations of a technical nature. Other specific non-legislative measures recommended by the Commission are still pending.

F. Other items in the timetable

41. No progress has been achieved on the question of human urban settlements and resumption of work by the Forum for Economic and Social Consultation.

III. OTHER RELEVANT ISSUES

42. The election of the new Supreme Electoral Tribunal, which took place on 30 July 1994, will provide an opportunity for the much-needed reform of the Tribunal's internal organization and personnel structure in a way that should strengthen professional and technical merit. Other reforms to be tackled in the electoral system include the establishment of a new electoral roll and the possible issuance of a single personal identity and voting card; proportional representation in municipal councils; and provision for voting in the area of a citizen's residence. All these reforms should be in force well in advance of the next legislative elections, to be held in 1997, and should therefore be agreed upon before the end of 1994.

43. ONUSAL has increased its technical support to national institutions and other entities. The Human Rights Division has given priority to cooperation with the National Counsel for the Defence of Human Rights, the importance of which cannot be overemphasized in view of the fact that the Counsel is scheduled to take over all the Division's functions after ONUSAL's departure. Seminars have also been held with non-governmental organizations active in the field of human rights.

44. In view of the limited resources available to the National Counsel for the Defence of Human Rights, the international donor community has repeatedly been asked to cooperate with that institution. While this appeal has, in general, met with a favourable response, it is imperative that the National Counsel concentrate on consolidating investigations, particularly of human rights violations, as recommended by various international experts and actively called for by non-governmental organizations concerned with human rights. It is significant in this context that the Counsel has expressed its desire to receive the technical cooperation that ONUSAL has always stood ready to provide.

45. A technical cooperation agreement has been signed between ONUSAL and the Vice-Minister for Public Security for the provision of assistance by ONUSAL to the National Civil Police in such areas as regulatory machinery (i.e., the Control and Disciplinary Investigation units), transit, environment, arms and explosives, and in the elaboration of an operational guide. ONUSAL will also serve as the catalyst in obtaining international technical assistance for the two above-mentioned units.

46. The lack of financing for peace-related programmes is critical. It has been estimated that to conclude the land programme $32 million will be needed ($1 million for the programme for FMLN and landholders, which has been generously financed by the United States Agency for International Development (USAID), and $31 million for FAES). The programme for agricultural credit to former combatants of FMLN, the armed forces and landholders currently has a deficit of $17 million and the one for credit to micro-enterprises has a deficit

of close to $4 million. Programmes to reintegrate demobilized members of the National Police require $14 million. The financial needs resulting from the reintegration programmes are in addition to those required to cover the indemnization of the demobilized members of the armed forces ($6 million) and those of the National Police ($9 million). In order to implement these programmes it is imperative that the Government and the international community find ways to finance the existing deficit of over $80 million as soon as possible. A total assessment of additional requirements will not be possible until estimates are provided to cover the transfer of human settlements, the Fund for the Protection of the War-disabled and housing needs for people who have not been covered by existing programmes.

IV. MEASURES TAKEN TO CONTAIN THE COSTS OF ONUSAL

47. In my report of 11 May 1994 (S/1994/561, para. 101), I stated that the size of ONUSAL would be reduced as rapidly as implementation of the outstanding agreements permitted. Consequently, bearing in mind the progress made to date, I have already reduced the military component to 12 military observers and 7 medical personnel from a total of 30 on 1 May. By 1 October, I expect the medical personnel to be further reduced to 3 and during November all the military observers will be phased out. The reduction in the size of the police division is in accordance with my earlier plans (see S/1994/561/Add.1) and I intend to bring the level down to 145 by 1 October (excluding 15 police instructors posted to the National Police Academy). In the same manner, I intend to start the progressive phasing out of the substantive civilian staff in the light of developments over the coming months.

48. In addition, the operational requirements of ONUSAL have been reviewed with the intention of taking additional measures to contain the costs of the Mission. As a result, the air transport expenses have been reduced drastically by replacing the two full-time helicopters previously used by the Mission with one aircraft that is now being hired only on an as-required basis. Similarly, a substantial reduction of the vehicle fleet is under way, concomitant with the staffing reduction. I expect the vehicle fleet to be reduced by at least 170 by 1 October 1994. This reduction will make possible the use of the surplus in other missions which are short of vehicles. I should mention that the phasing out of personnel and equipment is being closely correlated with the needs of existing missions, as well as with the planning for new missions.

49. Against this background, I have submitted a report to the General Assembly containing cost estimates for the period until November. I am pleased to report that this represents a substantial savings when compared to the previous mandate period.

V. OBSERVATIONS

50. The establishment of FMLN as a fully legal party in the political and civil life of the country provides striking evidence of El Salvador's transformation from a country riven by conflict into a nation on the path to reconciliation. Despite formidable difficulties, it has come to constitute a credible opposition

in the National Assembly and maintains a presence at the regional and municipal levels. Much will depend upon the commitment of the majority party, the Alianza Republicana Nacionalista (ARENA), to govern wisely and with moderation, so that plurality becomes an integral feature of Salvadorian politics.

51. Despite delays, progress achieved in those areas of the 19 May timetable which are most relevant to the strengthening and modernization of democratic institutions reflects the new Government's decision to establish firmly the rule of law in El Salvador. While this attitude is an encouraging indication of its commitment to the peace process, several difficult issues remain to be resolved in order to ensure compliance with pending obligations under the peace accords.

52. The new appointments in the public security sector and the Government's resolve to fight organized crime constitute a significant step in correcting the irregularities and deficiencies affecting the new police, of which I informed the Security Council in my last report. The President's decision to accelerate the demobilization of the National Police, though still to be implemented, is consistent with the new Government's attitude and has received support from important sectors of Salvadorian society.

53. The unanimous election of an independent Supreme Court of Justice paves the way for the much-needed reform of the judicial system, including the approval of speedier procedures and the removal of corrupt judges. The changes in the police and in the justice system finally offer hope that El Salvador will see the end of impunity, one of the root causes of the war.

54. During this last phase of the Mission, in which institution-building and strengthening are being emphasized, the justice and police sectors will continue to require careful attention. This also applies to the ability of the institution of the armed forces to abide fully by its new mandate under the Constitution, including ending all intelligence activities relating to domestic objectives. The strengthening of internal supervisory mechanisms, and particularly of the Inspector-General's functions, is also of supreme importance at this stage. Some of the experts presently with ONUSAL might be retained after the closing of the Mission in the framework of a broad technical assistance programme to the relevant national institutions.

55. The virtual paralysis of the land-transfer programme, delays and distortions in other reintegration programmes and the unresolved problem of the human settlements are a source of increasing concern. Although the peace agreements stipulated that landholders occupying land at the end of the conflict would not be evicted until the Government could find an acceptable solution to their land tenure problem (S/1994/561, para. 69), delays in the implementation of the programme are giving rise to tension between landowners and landholders. Tensions are also rising among former combatants whose justified expectations of receiving land, credit and housing have been largely unfulfilled (see S/26790, para. 51).

56. To solve the critical problem of the human settlements, FMLN must provide once and for all the necessary information on these settlements. The Government must exercise once more its flexibility and vision in solving this potentially explosive problem. The international community, which has invested so heavily

in the establishment of these settlements over the last four years, should extend its support in this crucial phase to ensure their consolidation and long-term sustainability. This matter requires the formation of a tripartite commission to analyse the issue in greater detail and make proposals for a special regime without which the transfer of these properties will not be possible.

57. Concerns about reintegration programmes relate not only to their completion but also to their success and long-term sustainability. Success will be measured in terms of the original objective of reintegrating into productive activities those groups that had been marginalized during the conflict years. This would not only contribute to strengthening the domestic economy but would also allow beneficiaries to service the debt they have incurred with the Government by agreeing to participate in the programmes. In this regard, the beneficiaries should respect the terms specified in the contracts they have entered into. However, given the serious limitations of existing reintegration programmes, in order for them to be sustainable over time they will need to be supplemented by further technical assistance and additional credit. The assistance of the programmes and agencies of the United Nations system, the regional development banks and bilateral donors will be essential to achieve this goal.

58. The conditions necessary to ensure the full and final implementation of the peace accords seem to be in place, although difficulties in carrying out outstanding obligations should not be underestimated. The Security Council should be in a position to evaluate progress in this regard on the basis of the report that I shall present to it at the end of October 1994.

Notes

1/ On 22 June 1994, an armed robbery that claimed the lives of five citizens was filmed by a television crew and led to the arrest of the Chief of the Investigative Department of the National Police.

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NOTE BY THE SECRETARY-GENERAL

The Secretary-General has the honour to transmit to the members of the Security Council the attached communication which he has received from the Acting Director General of the International Atomic Energy Agency (IAEA).

Annex

Letter dated 23 August 1994 from the Acting Director General of the International Atomic Energy Agency (IAEA) addressed to the Secretary-General

Please find attached the report of the twenty-fifth IAEA inspection in Iraq under Security Council resolution 687 (1991). You may deem it appropriate to transmit the report to the members of the Security Council. The Director General remains, of course, available with the Chief Inspector, Mr. Garry Dillon, for any consultations you or the Council may wish to have.

(Signed) Boris SEMENOV
Acting Director General

Enclosure

REPORT ON THE TWENTY-FIFTH IAEA ON-SITE INSPECTION IN IRAQ UNDER SECURITY COUNCIL RESOLUTION 687 (1991)

22 June to 01 July, 1994

SALIENT POINTS

The following activities were carried out in the course of the twenty fifth IAEA inspection in Iraq: (i) the implementation of activities in connection with the on-going monitoring and verification plan (OMV), with particular respect to the utilisation of machine tools; (ii) inspections at sites associated with the former nuclear weapons programme and at sites judged to have capabilities that could contribute to a reconstituted nuclear weapons programme; (iii) clarification of matters related to the origin and usage of natural uranium; (iv) installation of a video surveillance system in the flow forming machine tool workshop at the Nassr General Establishment; (v) installation of an additional surveillance unit in the video surveillance system previously installed in the milling and boring machine tool workshop at Um Al Ma'arik; (vi) participation in the UNSCOM inspection at the Al Rutbah telecommunications site; (vii) discussions with Iraqi counterparts on the adequacy of reports prepared by Iraq in accordance with paragraphs 22 and 23 of the OMV; (viii) examination of the inventory of equipment and non-nuclear materials at Tuwaitha and Al Shaykili in order to establish monitoring measures and frequencies. A total of 24 facilities, installations and sites were visited in the course of this inspection.

- Inspections were carried out at twelve sites where items of equipment subject to routine monitoring in accordance with Annex 3 of the OMV plan were located.

- Inspections were also carried out at five sites with previous nuclear or nuclear related missions or which had provided support to the former nuclear programme and at three sites which have been judged to have capabilities which could contribute to a reconstituted nuclear programme.

- Work continued on the characterisation of the uranium material in store at Location C at Tuwaitha. Additional samples were taken in order to facilitate discussions with the technologist from Brazil who was scheduled to visit IAEA headquarters in July 1994 in order to clarify the amount and nature of the natural uranium that was provided to Iraq by Brazil.

- A ten-camera video surveillance system, with photo back-up, was installed in the flow forming machine tool workshop of the Nassr general establishment. The surveillance system is designed to monitor the workpieces produced by these machines, which have the capability to produce centrifuge rotors.

- An additional surveillance unit was installed in the milling and boring machine tool workshop at Um Al Ma'arik.

- Three members of IAEA-25 participated in the UNSCOM inspection of the Al Rutbah telecommunications site, close to the Jordanian border, in the west of Iraq. No activities or equipment or facilities relevant to UNSCR 687 (1991) or proscribed or subject to monitoring under UNSCR 715 (1991) were found.

- Extensive discussions were held with the Iraqi counterparts on the quality and content of the reports prepared by Iraq in accordance with paragraphs 22 and 23 of the OMV. The team provided the Iraqi counterparts with a detailed list of corrections and omissions.

- A detailed inspection was made of the equipment and non-nuclear material in use or in store in Tuwaitha, including the Al Shaykili storage compound, in order to reconcile the IAEA inventory lists and the individual building inventories included in the OMV reports produced by Iraq. During the course of this activity the significance of listed equipment and non-nuclear materials was re-assessed in order to define monitoring measures and the frequency at which these measures should be carried out.

INTRODUCTION

1. This report summarises the results of the twenty-fifth on-site inspection carried out in Iraq by the IAEA under the United Nation Security Council resolution 687 (1991), with the assistance and co-operation of the Special Commission of the United Nations. The inspection took place from 22 June to 01 July 1994 and was lead by Garry Dillon of the IAEA as Chief Inspector. The team consisted of 12 inspectors, comprising 11 nationalities.

2. The objectives of the inspection were essentially focused on preparations for the implementation of the on-going monitoring and verification plan (OMV) and included:

- the implementation of the monitoring data sheets designed to record the status and utilisation of machine tools subject to routine monitoring in accordance with Annex 3 of the OMV.

- the assessment of the quality and completeness of the OMV reports prepared by Iraq in accordance with paragraphs 22 and 23 and the correction of inaccuracies and omissions.

- the verification of the information in the OMV reports at a number of sites associated with the former nuclear weapons programme and at sites judged to have capabilities that could contribute to a reconstituted nuclear weapons programme.

- the completion of the installation of video surveillance systems in engineering workshops where machine tools requiring continuous monitoring are installed.

- the clarification of matters related to the uranium balance and in particular to the amount and nature of the material supplied to Iraq from Brazil.

- the consolidation of the IAEA inventory lists of equipment and non-nuclear material subject to routine monitoring.

INSPECTIONS AT FACILITIES, INSTALLATIONS AND SITES

3. Inspections were carried out at Nassr, Ibn Al Haytham, MIC storage (Baghdad), Al Karama, Al Nidda, Al Daura, Badr, Um Al Ma'arik, Saddam, Al Amir, Al Radwan, Hatteen and the Industrial Engine Factory in order to monitor the status and utilisation of machine tools subject to routine monitoring. In the course of these inspections the machine tool monitoring data sheets were checked and updated.

4. The majority of the engineering establishments appeared to be operating well below their designed production capabilities. The team members experienced no difficulties in obtaining access to production records and workpiece drawings.

5. The results of the inspections showed no indication that these machine tools were being used for proscribed purposes.

6. Inspections were also carried out at three sites - Tarmiya, Al Atheer and Al Sharqat - which were associated with the former nuclear weapons programme. The purpose of these inspections was to check the adequacy of the information in the OMV reports provided by Iraq and to monitor the status of the sites with particular regard to their current usage. In general, the information provided in the OMV reports, with respect to past and current design capabilities and in some cases, activities is lacking in detail and the Iraqi counterparts have been asked to provide more comprehensive information in these areas in their next reports.

7. At the Tarmiya site, nine buildings were visited. The activities in the workshop buildings, 271 and 277, were checked and the equipment previously requested to be released from the currently disused buildings, 225 and 248 was re-examined. The laboratory, building 46 and the pilot plant for new chemical activities, building 57, were inspected, together with the warehouses 62 and 63. The well equipped analytical laboratory, building 74, was also visited.

8. At the Al Atheer site, buildings B9, 14, B41, B42, 85 and 101 were visited. Very little activity was observed. Former capabilities, such as the material characterization and quality control labs (buildings 85 and 14) were observed to have completely changed functions. No equipment related to physical testing is in place and the buildings have been converted into office accommodation, with the exception of part of building 85, which is now used for a small scale pilot plant for the recycling of tungsten carbide.

9. The former EMIS site at Al Sharqat was driven through and there were no signs of any activity at the former EMIS buildings. On the other hand there was considerable civil engineering activity at the Baiji sulfuric and nitric acid production project, but the supply of plant hardware remains to be a problem for the Iraqis.

10. Three sites judged to have capabilities which could contribute to a reconstituted nuclear weapons programme - Al Mansour, Al Hadre and Al Kindi - were inspected. With the proviso mentioned in paragraph 6 above, with respect to the description of design capabilities and activities, the results of these inspections were satisfactory.

VIDEO SURVEILLANCE SYSTEMS

11. A ten-camera multiplexed closed circuit video surveillance system (MUX) was installed in the flow-forming machine workshop at the Nassr engineering establishment. The purpose of this installation is to monitor the workpieces produced by the flow-forming machines which have the capability to produce centrifuge rotors. The facility management cooperated extensively in providing staff and equipment to facilitate the installation of the video cameras, cabling and the control system.

12. A room within the flow-forming machine workshop was allocated to accommodate the control system and the necessary structural changes were made to allow the installation of air-conditioning equipment.

13. The surveillance system was fully installed and put on test within a two week period and appears to be operating satisfactorily. It is however expected that some modifications will be necessary to take account of the effect of high ambient summer temperatures on the video cameras.

14. An additional video surveillance unit was installed in the milling and boring machine tool workshop at Um Al Ma'arik to improve the detail of the coverage of the workpieces produced by these large capacity machine tools which had formerly been used for the fabrication of EMIS components. The support given by the facility management enabled the additional unit to be installed and tested within a two day period.

NON-NUCLEAR MATERIAL AND EQUIPMENT

15. Inspections were made at the Al Shaykili storage complex and at a number of buildings on the Tuwaitha site to check the physical inventory of equipment and non-nuclear materials against the IAEA inventory list and the data provided by Iraq in their OMV reports. No significant discrepancies were found. It was however observed that the latest version of the OMV reports, for the reference date 1989-01-01, did not list "destroyed equipment".

16. In the course of these activities future inspection frequencies were assigned to all listed items.

17. The inspection at the Hatteen site referred to in paragraph 3 above was for the principal purpose of examining their stock of high tensile strength aluminium. The storage arrangements have been significantly improved and this will greatly facilitate the system for controlling the usage of this material, which is to be implemented in accordance with paragraph 25 of OMV and paragraph 5.5 of the annex 3 thereto. The nominal usage rate was quoted to be approximately 750 kg per day.

18. The final consignment of irradiated beryllium components were successfully transferred from the IRT-5000 storage ponds to sealed storage in building 3 at Location C.

OMV REPORTS

19. Part of the team spent several days in intensive discussion with the Iraqi counterparts on the quality and completeness of the information provided by Iraq in their OMV reports. As a result of these discussions the IAEA provided a list of corrections and additions to be made by Iraq.

20. The Iraqi counterparts were advised that these corrections and additions were necessary to provide the IAEA with sufficient information to support the implementation of the on-going monitoring and verification system. The information was provided to the IAEA on 1994-07-06, on magnetic media and its adequacy is under evaluation.

21. The Iraqi counterparts agreed to provide all future OMV report data in database format to facilitate its efficient processing by the IAEA.

URANIUM ACCOUNTANCY

22. Work was continued on the characterisation and accountancy of the natural uranium material in store at Location C with particular regard to the material recovered from the Al Jesira evaporation tanks and the UO_2 of Brazilian supply.

23. During IAEA 24 the Iraqi counterparts suggested that the waste material recovered from the Al Jesira evaporation tank number 051 contained more uranium than is indicated by IAEA analyses and presented their own analytical results showing levels of uranium concentrations greater than those measured by the IAEA.

24. The Iraqi analytical results, from the 6 drums they had sampled, showed a mean moisture content of 32% +/- 9% and a mean uranium concentration, in the dry residue, of 33.5% +/- 10%. Based on these data they calculated the uranium content of the waste material recovered from evaporation tank 051 to be 10.5 tonnes. However taking into account their measurement uncertainties the actual value would be in the range from 6.4 to 15.5 tonnes.

25. On the other hand, the IAEA analytical data from 46 samples show a mean value for the uranium concentration, in the un-dried samples, of 17% +/- 2.3%. Based on the IAEA analyses, the waste material recovered from evaporation tank 051 contains between 6.8 and 8.9 tonnes uranium, with a mean value of 7.9 tonnes.

26. The Iraqi counterparts suggested that the large difference between their results and the IAEA results derived from the fact that the uranium bearing component of the waste was fine particle size material which had settled differentially, over time, resulting in a uranium concentration gradient increasing towards the bottom of the drums.

27. Consequently samples taken near the top of a drum soon after filling, as was the case with the Iraqi samples, would show higher and more representative results than samples taken, similarly near the top of the drums, some months after filling, as was the case with the IAEA samples.

28. In order to test this theory a series of NDA measurements were taken at different heights in the vertical plane on each of 27 drums. The results indicated axial inhomogeneity in the range +/- 5% but no systematic increase in uranium concentration towards the bottom of the drums was found.

29. The drums subjected to NDA measurements were opened and the contents were visually examined. The drum contents were, in each case, found to be similar and to consist of a brown, chunky material with a consistency like that of moist clay. The size of the pieces varied considerably from drum to drum. It was evident that the material was dried sludge, originally about 6 cm thick, which had been broken up upon shoveling into the drums. It is likely that there is significant, drum to drum, variation in the bulk-density of the material and this factor coupled with differences in residual moisture content could explain the minor inhomogeneity shown by the NDA results.

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30. Microscopic examination of a large piece showed it to be homogeneous except for a slightly less brown layer, 2-3 mm thick on the side that would have been in contact with the floor of the tank. By comparison, the same type of material found in the waste pipes which originally carried the material to tank 051 showed considerable layering.

31. Taking into consideration the mixing that would have resulted from the earlier transfer of the material to and from the oil storage tank, some 30 km away from Al Jesira, it is to be expected that the material would be reasonably homogeneous.

32. Based on the IAEA analyses, the NDA results and the visual examination of the waste material, there is no reason to change the IAEA estimate of the amount of uranium in the waste. However some additional samples were taken to confirm the results of previous IAEA analyses and to check some of the results obtained by the Iraqi counterparts.

33. The Al Jesira site was visited in order to further examine the residue of uranium in the recently emptied tank number 052 and to clarify a number of points associated with the material hold-up in plant items at the dump sites. During this visit an inspection was made at the dump site alongside the Suwairah railway depot. The team members were satisfied with the explanation, given by the accompanying Al Jesira facility personnel, as to the previous use of this site. It is reasonable to accept that this dump site had not been used for the storage of uranium.

INSPECTION AT THE AL RUTBAH TELECOMMUNICATIONS SITE

34. Three members of IAEA-25 participated in the, UNSCOM co-ordinated, unannounced inspection at the Al Rutbah telecommunications site located near to the Jordanian border. The site, located to the west of the town of Al Rutbah, comprises two installations enclosed in a fenced area approximately 2.7 km by 0.9 km.

35. One of the installations is an entirely conventional, though powerful, broadcasting station built by Thomson CSF and commissioned in 1988. The other installation is more significant and comprises a large underground bunker, hardened against nuclear and chemical attack, providing protection to a very powerful, self-powered emergency radio station. The bunker design involves advanced technology in the area of electromagnetic radiation protection (applied to cable penetrations) and indicates access to specialised advice. The bunker itself underlines the Iraqi interest and capability with respect to the construction of high technology underground facilities

36. A very careful search was made, using the teams available resources, keeping in mind the possibility of additional concealed sections. There was surprisingly little storage space for survival rations and the small amount of bedding would only be sufficient for the bunker crew. The bunker and its contained facilities are of no relevance to UNSCR 687 and it was the unanimous opinion of the team that it was unlikely that relevant materials or equipment had ever been concealed in the bunker.

Table 1

List of facilities, installations and sites inspected in IAEA-25

1. Al Amir
2. Al Atheer
3. Al Hadre
4. Al Jesira (including Suwairah dump site)
5. Al Karama
6. Al Kindi
7. Al Mansour
8. Al Nidda
9. Al Radwan
10. Al Rutbah
11. Al Sharqat
12. Al Shaykili
13. Badr
14. Daura
15. Falluja lead factory
16. Hatteen
17. Ibn Al Haytham
18. Industrial Engine factory
19. MIC storage (Baghdad)
20. Nassr
21. Saddam State Establishment
22. Tarmiya
23. Tuwaitha
24. Um Al Ma'arik

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FURTHER REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OPERATION IN MOZAMBIQUE

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 916 (1994) of 5 May 1994, by which the Council extended the mandate of the United Nations Operation in Mozambique (ONUMOZ) for a final period until 15 November 1994, subject to the proviso that the Council would review the status of the mandate of ONUMOZ by 15 July and by 5 September 1994 based on further reports by the Secretary-General. Further to my report to the Council of 7 July 1994 (S/1994/803), the present report reflects the situation as of 25 August 1994.

2. This report also focuses on issues raised during the mission of the Security Council which visited Mozambique from 7 to 12 August 1994. In my view, the visit had a very positive impact on the peace process, and I fully share many of the observations and recommendations contained in the mission's presentation to the Council made on 18 August 1994.

II. POLITICAL AND MILITARY ASPECTS

A. General

3. Since my last report to the Council dated 7 July 1994 (S/1994/803), significant progress has been achieved in the peace process in Mozambique. Several of the difficulties cited in my earlier reports have now been overcome. The process of assembly of soldiers of the Government and the Resistência Nacional Moçambicana (RENAMO) has been concluded, and the demobilization of these soldiers is almost complete. A number of decisions have been taken with regard to formation of the new army. More than three quarters of the estimated eligible voter population has been registered for elections. Despite the many challenging tasks that lie ahead, I believe that the major political conditions for holding the elections as planned on 27 and 28 October 1994 are in place.

4. At the same time, there is growing concern about the security situation in the country, which has deteriorated in recent months. On the one hand, rioting

among soldiers in assembly areas as well as in unassembled locations has become frequent and violent. It has resulted in the setting up of roadblocks and the taking of hostages, as well as demands for immediate demobilization and for the provision of various supplies. I hope that with the imminent completion of the demobilization, many of these problems will be overcome. On the other hand, criminal activity and banditry has increased, raising serious concerns about public safety in the period leading up to, during and immediately after the elections.

B. Cease-fire

5. During the period under review, only three complaints of cease-fire violations have been reported to the Cease-fire Commission, two by the Government and one by RENAMO. This brings the total number of complaints since the signing of the general peace agreement to 95. All of these cases have been investigated, and the results were approved by both parties. In general, the cease-fire has been remarkably well respected, and military activities have not posed a serious threat to the cease-fire or to the holding of elections as scheduled.

C. Assembly and demobilization of troops

6. The process of assembly of troops has been completed, and the demobilization will be completed shortly. A total of 43,297 Government troops have passed through the 29 Government assembly areas, and 17,466 RENAMO soldiers have passed through the 20 RENAMO assembly areas. It has been an extremely difficult and sometimes dangerous process. In addition, all unassembled troops have been registered. The Government registered a total of 20,919 unassembled troops and RENAMO registered 4,995 unassembled personnel. The closing of assembly areas began on 18 June 1994. As of 22 August, 12 camps out of 49 had been dismantled.

7. The demobilization process was substantially concluded by 22 August 1994, one week after the deadline of 15 August 1994. All documentation has been processed for the limited number of soldiers who still remain in the assembly areas or at unassembled locations. Most of their cases are pending owing to specific circumstances or to last minute registration. Some were sick or absent at the date of demobilization, while others are in the process of being transferred to the new army. The delay in the demobilization process was the result mainly of the increase in the number of soldiers who were to be demobilized following the decision by the Government and RENAMO in the Supervisory and Monitoring Commission on 25 July 1994 that all soldiers who so wished would be demobilized. As of 22 August, a total of 67,155 soldiers (50,596 Government and 16,559 RENAMO) had been demobilized, while 9,226 (5,724 Government and 3,502 RENAMO) were in the process of being demobilized. In the meantime, the Cease-fire Commission approved a plan for follow-up verification of the completion of assembly and demobilization which will commence on 30 August throughout the country.

8. As of 22 August 1994, the date of completion of the demobilization process, a total of 105,009 weapons (87,767 Government and 17,242 RENAMO) had been collected from troops in the assembly areas as well as unassembled locations. As of the same date, a total of 41,471 weapons had been collected from paramilitary forces out of the projected total of 49,806. Despite the demobilization of a much larger number of troops than initially planned, the number of weapons collected by ONUMOZ is below what was expected. Weapons caches were discovered, some of which contained large quantities of arms. Contrary to the rules approved by the Cease-fire Commission, the United Nations was denied permission to collect and disable weapons at unassembled locations on several occasions. This not only delayed the process of disarmament, but also resulted in a number of potentially serious incidents.

D. Formation of the Mozambican Defence Force

9. In resolution 916 (1994), the Security Council called upon the parties to ensure that the maximum possible number of soldiers were trained for the new Mozambican Defence Force (FADM) before the elections. The Council also called upon the Government of Mozambique to provide logistical and technical support for the formation of FADM, including regular remuneration for the troops, and to initiate the transfer of all central defence facilities to FADM command. The Council will recall that according to the provisions of the general peace agreement (S/24635 and Corr.1, annex), the new Mozambican Defence Force was to be a volunteer army composed of 30,000 soldiers, 15,000 from the Government and 15,000 from RENAMO ranks. In my last report to the Council, I noted the serious difficulties the parties were facing in forming a new armed force of this size prior to the elections, especially as existing training programmes could accommodate only 15,000 soldiers. There have been numerous delays in the formation of the new armed forces which were compounded by logistical problems and by a lack of volunteers to join the new army.

10. As of 22 August, only 7,398 soldiers (3,901 Government and 3,497 RENAMO) had joined FADM. At this stage, no more than 10,000 soldiers are expected to join the new army before the elections. So far, 4,276 FADM soldiers have been trained in the various programmes. These include three infantry battalions totalling 1,567, special forces (919), marines (40), logistics and administration (150), senior officers (150) and de-miners (100). An additional 2,206 soldiers are currently undergoing training. France, Portugal, the United Kingdom of Great Britain and Northern Ireland and Zimbabwe have been actively contributing to this very important undertaking, while ONUMOZ provided assistance within the scope of its mandate and resources, including transport of soldiers to training centres.

11. The transfer of authority, equipment and infrastructures from the former army to FADM started in mid-July and was formally completed on 16 August 1994. While the military premises and barracks have been accepted for takeover by FADM, information about the present condition of the equipment to be transferred is insufficient at this time. In order to become fully operational, FADM will require additional military equipment and infrastructures. Although protocol IV of the general peace agreement prescribes that the High Command of FADM shall be subordinate to the Joint Commission for the Formation of the Mozambican Defence

Forces until the new Government takes office, the present division of authority between the Joint Commission and the Ministry of Defence, which continues to function, remains somewhat unclear.

12. The existence of a viable and fully operational Defence Force is an essential element of stability and security in the country. It is therefore of utmost importance that the continuation of the training of new units be encouraged in every way and that all necessary support be provided for the formation of FADM.

E. Security

13. As already noted, the security situation in Mozambique has deteriorated in recent months. Rioting among soldiers, both inside and outside assembly areas, continued to escalate until early August, when most soldiers had been or were in the process of being demobilized. At the same time, the crime level rose dramatically in both rural and urban areas. The Mozambican Police is not properly equipped to control the situation. In spite of the fact that ONUMOZ has stepped up its patrolling and set up checkpoints, in particular along the routes leading from Maputo to Ressano Garcia and to Namaacha, it has so far not been possible to effectively curb the banditry.

F. Status of the military component of the United Nations Operation in Mozambique

14. In accordance with the mandate of ONUMOZ, its military contingents continue to monitor security along the corridors and main routes of the country. At the same time, increasing security problems have necessitated reinforced guarding of United Nations properties and key locations, and a number of ONUMOZ military personnel have been redeployed for this purpose. In paragraph 10 of my last report, I mentioned my intention to deploy a self-contained Brazilian infantry company in Zambezia Province. This company of 170 personnel has now been deployed and is fully operational. With the completion of the demobilization process, ONUMOZ military observers will be actively involved in verifying the demobilization, investigating complaints relating to the cease-fire, verifying weapons caches and monitoring border crossing points, as well as assisting in preparations for the elections. It is my intention, however, to start reducing in September the number of military observers from their mandated strength of 354 officers to approximately 240 before the expiration of the mandate of the mission.

15. It is obvious that the limited scope and mandate of ONUMOZ does not provide and cannot guarantee security and safety in the country. This responsibility lies with the Government, in cooperation with all the Mozambican parties. None the less, in accordance with the overall framework for the Operation (S/24892, sect. III), which was approved by the Security Council in its resolution 797 (1992) of 16 December 1992, ONUMOZ has an important role to play in assisting the Government in providing security to various activities in support of the peace process, especially in strategic routes and around vital installations. I consider it important to step up all ONUMOZ operations aimed

at maintaining security and public order, particularly in the crucial period before, during and immediately after the elections. Also, more flexibility is required in the deployment of United Nations troops in order to provide wider coverage of various parts of the country. This could be an important confidence-building measure. I have instructed my Special Representative, Mr. Aldo Ajello, and the Force Commander, Major-General Mohammad Abdus Salam, in consultation with the Government, to undertake appropriate action urgently. In addition, it would be advisable to strengthen the operational capability of ONUMOZ. This includes, especially, strengthening air support resources in order to give the mission more flexibility to respond to unforeseen developments. At the same time, it might be important for the trained FADM units to start gradual deployment to vital installations in order to ensure a smooth hand-over from ONUMOZ after the elections.

III. POLICE ACTIVITIES

16. ONUMOZ police functions are another important issue, which is closely related to confidence-building, security and the improvement of the overall political climate in the country. As of 22 August 1994, a total of 905 civilian police (CIVPOL) monitors from 26 countries had been deployed in the mission area. In addition to major cities and towns, CIVPOL has established itself in 44 field posts. However, the Mozambican Police has not established its presence in many of the areas formerly controlled by RENAMO. Even in the few areas where the Mozambican Police has established itself, it is often not fully operational.

17. The United Nations CIVPOL undertakes constant and extensive patrolling and frequent visits to prisons and other police installations and conducts investigations of complaints alleging political or human rights abuses. Many of the patrols are conducted jointly with the Mozambican Police. As of 22 August, CIVPOL had received 91 complaints, 14 of which involved human rights violations. Investigation of 78 of the complaints has been completed, while 13 are still pending. On the basis of the CIVPOL investigations, six cases were referred to the National Commission for Police Affairs for action. Another nine cases, which emerged from independent CIVPOL patrol reports on violations committed by the Mozambican Police, were also submitted to the National Commission for Police Affairs for further investigation. The cases continue to fall into three main categories: (a) illegal detention of civilians; (b) abuse of detainees' civil rights; and (c) criminal investigations involving possible political motives. It is a matter of concern that the National Commission for Police Affairs has not yet ruled on the cases referred to it by CIVPOL. Obviously, the deterrent effect of CIVPOL observation would be diluted if no corrective or preventive action follows CIVPOL investigations.

18. In coordination with the Centre for Human Rights, an extensive human rights training programme was organized for CIVPOL monitors. This was the first such programme ever provided to a United Nations civilian police observer force, and has proved very useful to CIVPOL in effectively carrying out its mandated tasks.

IV. PREPARATIONS FOR ELECTIONS

19. Voter registration, which began on 1 June 1994, was scheduled to conclude on 15 August, but was extended initially until 20 August. The National Assembly decided on 24 August to extend the registration period until 2 September. As a result, the electoral campaign will begin on 22 September and not 12 September. A proposal by the National Elections Commission to allow registration to continue for an additional 10 days and to shorten the political campaign period accordingly is presently being considered by the National Assembly. The extension is being considered because of the serious logistical problems encountered during the initial phases of the registration process and the need to allow refugees and demobilized soldiers more time to register. As of 22 August 1994, it is estimated that a total of around 6.1 million voters had registered out of an estimated voter population of 7,894,850 people. The National Elections Commission lowered the initial estimate of 8.5 million eligible voters, which was based on the 1980 census and was considered inaccurate. At the same time, the National Elections Commission was unable to reach an agreement on voting arrangements for Mozambican citizens living abroad. On 8 August 1994, codes of conduct for presidential candidates and for political parties and rules on access to the State media were approved by the National Elections Commission.

20. During the registration process, voter education was carried out almost exclusively at registration sites by Mozambican civic education personnel. Some voter education activities were undertaken by local and international non-governmental organizations. However, the need for information and education on the electoral process is far greater than what is presently being provided. The National Elections Commission is in need of additional assistance in order to establish efficient public education programmes, including by means of radio broadcasts. ONUMOZ is actively working with the Government and potential donors in this regard.

21. Technical errors in the registration process, such as the improper filling in of registration forms, registration books and voter cards, occurred frequently during the initial phases of the process, resulting in a number of complaints. The irregularities were found to be the result mainly of inadequate experience or training of registration personnel, and were largely overcome when the Technical Secretariat for Electoral Administration issued a series of directives providing guidance to the more than 1,600 registration teams. ONUMOZ is monitoring the electoral registration process with some 120 observers, who continually visit and verify various registration sites. Some political parties, particularly RENAMO, have raised allegations of fraud in the electoral process. Complaints included allegations of using false identification, registration of minors and foreigners, embezzlement of electoral funds, as well as using propaganda to discredit opponents. In many cases, these allegations appeared in the media without proper submission of formal complaints to the National Elections Commission. Most of the complaints, including those investigated independently by ONUMOZ, have not been substantiated.

22. In paragraph 21 of my last report to the Security Council, I noted that certain conditions essential for the holding of free and fair elections had not been met. I am pleased to report that since then, voter registration teams have

gained access to all RENAMO-controlled districts. However, logistical problems still exist in areas of difficult accessibility, but these are in the process of being overcome. Unimpeded access by all parties to all areas of the country must be guaranteed.

23. In paragraph 22 of the same report, I drew the attention of the Security Council to a shortfall of US$ 3.8 million in the technical assistance funding for the electoral process. The total budget for this assistance has been increased slightly to US$ 60 million, resulting in a shortfall of US$ 5 million. I reiterate my appeal to donors to bridge this gap in order that preparations for the elections may proceed on schedule. In the meantime, the trust fund for the political parties has now been fully established. Criteria for the disbursement of the fund, as well as procedures for its management, were developed in close consultation with the political parties, the donors and ONUMOZ. Of the total pledges of US$ 3.54 million, only US$ 1.88 million have been received so far, and I urge the donor community to honour their pledges in order to assist all political parties, especially those which are not signatories to the peace agreement, to organize and prepare themselves for active participation in the forthcoming elections. On 19 August 1994, a first disbursement of US$ 50,000 was made to each of the 16 political parties.

24. I also wish to draw the attention of the Security Council to the shortfall in contributions for the trust fund for implementation of the general peace agreement in Mozambique. This fund was established to provide assistance to RENAMO, as one of the parties to the Rome agreement, in its transition from an armed movement to a political party. Of the US$ 14.6 million already pledged to the fund, which is less than originally expected, only US$ 13.6 million have been received. I appeal to the donors to continue to contribute to this fund.

25. Voting on the election days will take place at about 8,000 polling stations connected in groups to 1,600 polling sites. In order to guarantee the credibility of the electoral process, it is important for the international observation to be as extensive as possible. As requested, the United Nations will undertake sample monitoring. For the actual polling and counting of votes, the United Nations intends to deploy 1,200 electoral observers, as initially planned. However, only 900 observers are covered by the ONUMOZ budget. The remainder will be drawn from existing ONUMOZ staff. The United Nations electoral personnel will be complemented by additional observers provided by Member States, various international organizations, including the European Union and the Association of West European Parliamentarians, and various non-governmental organizations. ONUMOZ intends to coordinate all external verification activities in order to avoid duplication or gaps in the observation process.

26. The most effective way to enhance the credibility of the elections is to ensure that the Mozambican political parties themselves participate extensively in the electoral observation process. Most of the smaller parties, however, do not have the capacity to participate in verification on a large scale. To this end, the parties will need technical and financial support from the donor community. Pledges towards the funding of this important endeavour have already been made by the European Community and the United States Agency for International Development (USAID). A programme aimed at strengthening the

capacities of the political parties is presently being developed by ONUMOZ in consultation with donors. I appeal to the international community to provide financial resources for the implementation of this important endeavour.

V. HUMANITARIAN ASSISTANCE PROGRAMME

27. The implementation of humanitarian activities continues to proceed along the lines described in my previous report. About 75 per cent of the estimated 3.7 million persons who were internally displaced at the time of signature of the general peace agreement have now been resettled. There are still an estimated 342,000 refugees in neighbouring countries who are expected to return to Mozambique by the end of 1994. The Office of the United Nations High Commissioner for Refugees (UNHCR) has initiated projects aimed at improving living conditions in areas where the returnees are concentrated. These projects are being implemented by non-governmental organizations. With the participation of the International Committee of the Red Cross, Save the Children Fund-United Kingdom, the International Organization for Migration and the World Food Programme, assistance is now being provided in ex-RENAMO areas to children and youths with war experience. Under the overall coordination of the United Nations Children's Fund and the United Nations Office for Humanitarian Assistance Coordination, this assistance is provided to the children while they are in transit centres and will continue until they are reunited with their families.

28. The Reintegration Commission recently approved the creation of a provincial fund to provide small- and medium-sized grants for the employment of ex-soldiers. The fund will also facilitate their participation in community-based economic activities. With the creation of the provincial fund, the reintegration programme for demobilized soldiers now has four main components. The other three are: the reintegration support scheme, which provides each demobilized soldier with an 18-month subsidy in addition to six months of pay upon demobilization; career counselling and problem solving services; and the occupational skills development programme, which coordinates reintegration and training programmes and helps provide access to employment opportunities.

29. As I indicated to the Security Council in previous reports, I have been concerned over the inordinate delays experienced in the implementation of the United Nations mine-clearance programme, which comprises four components: the national mines survey, the clearing of mines along 2,000 kilometres of priority roads, the establishment of the Mine-clearance Training Centre and the creation of a national de-mining capacity. The total cost of this programme is US$ 18.5 million, which is met through an allocation of US$ 11 million from within the ONUMOZ budget and by contributions to the trust fund for de-mining activities totalling US$ 7.5 million. At the beginning of 1993, the United Nations Development Programme/Office for Project Services (UNDP/OPS) was given the responsibility of managing the de-mining programme, including the implementation of the survey and the clearing of priority roads, for which US$ 14 million had been allocated. A separate allocation of some US$ 3 million was made for the establishment and operation of the Mine-clearing Training Centre.

30. In view of the concern of the Security Council and my own concern regarding the disappointing pace of implementation of the United Nations mine-clearance programme, I had assured the Council that every effort would be made to accelerate the programme. In May 1994, a plan to accelerate the implementation of the mine-clearance programme was put into place. This programme includes the strengthening of the Mine-clearance Training Centre, the training of Mozambican de-miners, supervisors and instructors, and the creation of a national de-mining authority by November 1994. In order to facilitate the timely implementation of the accelerated programme, the United Nations Office for Humanitarian Assistance Coordination has been reinforced by additional specialized staff dedicated solely to de-mining issues.

31. The national mine survey, which was undertaken by a British non-governmental organization, Halo Trust, has now been completed. The information from this survey has provided the basis for the individual reports of the United Nations Office for Humanitarian Assistance Coordination on mines in the 10 provinces of Mozambique. The UNDP/OPS-implemented project to de-mine 2,000 kilometres of priority roads finally commenced in July 1994. To date, 209 kilometres of roads in Manica Province have been cleared. De-mining activities are also being undertaken by Norwegian People's Aid in Maputo Province, by Halo Trust in Zambezia Province and by Ronco, a USAID contractor, in Sofala Province.

32. Following the decision to move the Mine-clearance Training Centre to a permanent site in Tete, the rehabilitation of the proposed facilities began in mid-June. Although it was originally envisaged that the Centre would become operational by the first week of August, it was not possible to complete the rehabilitation work on time. To date, 119 Mozambican de-miners have been trained by the Centre. In order to accelerate the training programme, the Centre began offering two courses simultaneously, for 60 students each, on 23 August 1994. By the end of November 1994, it is expected that the overall target of training 450 de-miners will have been achieved. The trained Mozambican de-miners will work under the leadership of contracted expatriate supervisors. The first group of expatriate supervisors have arrived and two de-mining teams comprised of trained Mozambican de-miners have been formed. These teams will commence de-mining activities within selected areas of Maputo Province in September 1994. It is expected that at the end of May 1995, Mozambican supervisors trained at the Centre will replace the expatriate supervisors, with additional practical training being provided to them to ensure that adequate competence and safety standards are achieved.

33. The implementation of the de-mining programme will clearly have to continue well beyond the mandate of ONUMOZ. At present, the United Nations Office for Humanitarian Assistance Coordination is performing a number of coordination and management functions. However, proposals regarding the contracting of an organization to provide management training to enable Mozambicans to assume these functions are currently being considered. In addition, consultations are in progress with all concerned in an effort to reach agreement on the most suitable coordination and financing mechanisms to ensure continuity of the de-mining programme after the departure of ONUMOZ.

VI. CLOSURE OF THE UNITED NATIONS OPERATION IN MOZAMBIQUE AND WITHDRAWAL OF CIVILIAN AND MILITARY PERSONNEL

34. The Security Council, by its resolution 916 (1994), extended the mandate of ONUMOZ for a final period until 15 November 1994 at the strength described in paragraphs 22, 24 and 25 of my report of 28 April 1994 (S/1994/511). As I noted in paragraph 35 of my last report (S/1994/803), the withdrawal of ONUMOZ civilian and military personnel will begin immediately after the elections and is scheduled to be concluded by the end of January 1995. It will be recalled that in accordance with protocol III of the general peace agreement, the presence of ONUMOZ would be required until such time as the new Government takes office. Thus, the planned withdrawal would obviously depend on: (a) the holding of peaceful, as well as free and fair, elections on 27 and 28 October 1994; (b) the timely announcement of the election results no later than 12 November 1994; and (c) the timely establishment of a new Government. Furthermore, should a second ballot be required for the election of the President, adjustments in the withdrawal schedule might be required.

35. Paragraphs 36 and 37 of my last report also presented a detailed description of various departure schedules. However, after further review of logistic and administrative conditions, slight changes have been introduced to the withdrawal phase of some components. In particular, it is intended that the withdrawal of the staff of the humanitarian component should begin immediately after the elections and be completed by the end of November. By that time, all humanitarian activities extending beyond the mandate of ONUMOZ would be transferred to the Government and/or to other United Nations organizations and agencies.

36. The international electoral observers will depart the mission area immediately after the elections. The withdrawal of the international officers of the ONUMOZ Electoral Division and the United Nations volunteer monitors will commence immediately after the elections; the majority of them will leave after the election results are published and the elections are officially declared free and fair.

37. The withdrawal of ONUMOZ police observers is planned to take place in three phases. Phase one will start on 10 November 1994, when a total of 652 monitors will be withdrawn from various posts throughout the country. Phase two will start on 18 November, when 292 monitors will be withdrawn from the provincial and regional headquarters. Phase three will start on 25 November and will be completed by mid-December, when the 200 monitors at the regional and central headquarters will be withdrawn.

38. The reduction in strength of the ONUMOZ military component will begin on 15 November 1994, as previously planned. The tentative withdrawal schedule now stands as follows: the Bangladesh contingent will depart between 25 November and 12 December 1994; the Botswana contingent on 8 December 1994; the Brazilian company on 27 and 28 November 1994; the Uruguayan contingent from 29 November to 11 December 1994; and the Zambian battalion from 4 to 13 December 1994. The withdrawal of the support units, namely, the Japanese movement control, the Portuguese signals battalion, the Indian headquarters company and the Argentine and Italian hospitals, will begin on 28 November and

be completed by the end of December 1994. Until the final closure of the mission by the end of January 1995, only a limited number of civilian logisticians, military specialists, staff officers and a small detachment of infantry to provide security protection to United Nations personnel and property would remain in the country.

VII. OBSERVATIONS

39. The significant progress achieved in the implementation of the peace process in Mozambique since I last reported to the Security Council has been encouraging. With the imminent conclusion of the demobilization of troops, the peace process has reached its final phase - the preparations for and the conduct of the elections. The electoral process itself is progressing well. The most significant role of the United Nations during the next two months will involve technical preparations for elections and assistance in bringing about the conditions necessary for the holding of free and fair elections, as well as in the creation of an environment conducive to a stable and peaceful transition to a democratically elected Government. By all indications, the necessary conditions exist for holding the elections in Mozambique as scheduled.

40. While much will depend on the political will of the Mozambican people and the parties to achieve this goal, a great deal remains to be accomplished in order to ensure that the elections lead to political stability. The Mozambican parties might wish to explore, prior to the elections, the possibility of concluding an arrangement that would enable opposition parties to play a legitimate and meaningful role in the post-electoral period. Such an arrangement could also facilitate the establishment of a government that would ensure the consolidation of peace, political stability and national reconciliation.

41. The transition period that lies ahead for Mozambique will not be an easy one. It will require, above all, statesmanship and a commitment to accommodate various interests. It will be equally important to ensure secure and stable conditions in the country. This will call for a determined effort to continue training and properly equipping a new national army and to upgrade the national police. While the primary responsibilities in this regard rest with the Government, I trust that present and potential donors will provide assistance in those important areas, even after the elections.

42. With the generous assistance of donors, considerable progress has been made in implementing humanitarian programmes in Mozambique. In addition to helping alleviate the suffering of large numbers of vulnerable and disadvantaged persons, the impartial and equitable delivery of humanitarian assistance is contributing to the overall efforts to achieve national reconciliation after many years of civil war. With the completion of the demobilization of Government and RENAMO soldiers, the implementation of various programmes for the reintegration of demobilized soldiers will be able to proceed more speedily. The progress finally being made in the de-mining programme is overdue but points in the right direction. Bearing in mind the long-term nature of the problem, it will be essential for appropriate financial and other forms of assistance to be

provided to the Government to continue with mine-clearance activities after the termination of the mandate of ONUMOZ. I consider it of critical importance that adequate arrangements be put in place for the coordination of all humanitarian and rehabilitation programmes during the transition phase after the departure of ONUMOZ. In this connection, consultations will be held between the United Nations Office for Humanitarian Assistance Coordination and United Nations agencies as well as with the Government and donors to ensure the effective implementation of humanitarian programmes. On the basis of these consultations, proposals will be drawn up for my consideration.

43. I have often stressed that it was up to the people of Mozambique and their leaders to make a determined effort to ensure the full and timely implementation of the Rome agreement and to bring about national reconciliation in the country. I have also urged the international community to continue to contribute generously to various funds and activities aimed at achieving a stable and lasting peace in the country. As the peace process approaches its final leg, it will be incumbent upon all concerned in Mozambique to redouble their efforts to ensure that the elections are conducted in a free and fair manner and that the transitional period promotes national reconciliation and stability. I should also like to remind all parties, once again, of their obligation to respect the results of the elections. The United Nations, for its part, is determined to continue actively to pursue the full implementation of the Rome agreement and to facilitate the efforts of the people of Mozambique to bring it to a successful conclusion.

44. I would like to pay tribute to the dedication and professionalism of the staff of ONUMOZ, in particular to my Special Representative and the Force Commander, in carrying out the challenging tasks entrusted to them.